

PATENT / DOCKET NO.: 28122.89

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and sole joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

## VENTRICULAR RESTORATION SHAPING APPARATUS AND METHOD OF USE

the specification of which: (check one)

\_\_\_\_\_ is attached hereto.

  X   was filed on May 24, 2001  
under Attorney's Docket Number 28122.89  
as Application Serial No. 09/864,510  
and was amended on \_\_\_\_\_ (if applicable).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

60/272,073  
(Application Number)

February 28, 2001  
(Filing Date)

Pending  
(Status)

POWER OF ATTORNEY: As a named inventor, we hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Theodore Baroody	Reg. No. 45,417	Michael J. Balconi-Lamica	Reg. No. 34,291
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